

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND, INDIANA**

JULIEANN FORSYTHE,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO. 3:22-cv-00426
)	
INDUSTRIAL MAINTENANCE)	
AND CONTRACT SERVICES, INC.,)	
)	
Defendant,)	

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, name-above, complains of act and omissions by the Defendant. In support of her Complaint and as cause of action against the Defendant, Plaintiff respectfully submits the following:

JURISDICTION

1. This Court has jurisdiction over Plaintiff's federal claim under 28 U.S.C. §§ 1331 and 1343.
2. Venue in the United States District Court for the Northern District of Indiana is proper pursuant to 28 U.S.C. § 1391.
3. This suit is authorized and instituted pursuant to Title VII 42 U.S.C. § 2000e et seq (as amended), the Pregnancy Discrimination Act and the Americans with Disabilities Act, 42 U.S.C. 12101 et seq.
4. Plaintiff fled a charge with the Equal Employment Opportunity Commission (EEOC) and received a notice to sue on March 31, 2022.

PARTIES

5. Plaintiff is disabled woman and at all relevant times she resided in the Northern District of Indiana.

6. Defendant is a corporation doing business in the State of Indiana in the Northern District of Indiana.

FACTS

7. Plaintiff is a pregnant woman.

8. On March 9, 2021, Plaintiff was hired as a Laborer at Industrial Maintenance Contractors. Plaintiff performed her job well, and was promoted shortly after to General Foreman of Laborers.

9. On June 18, 2021, Plaintiff found out that she was pregnant. That same day, Plaintiff reported her pregnancy to her Superintendent. When the Plaintiff and her Superintendent first discussed her pregnancy, her Superintendent stated that the company would take care of her and that everything would be fine.

10. On the following Monday, June 21, 2021, Plaintiff had a meeting with another foreman and her Superintendent. In the meeting, her Superintendent stated that she could not work at the company anymore because of the chemicals and that because of his doctor friends advised that it was unsafe for the Plaintiff to continue to be employed with the company. Plaintiff's Superintendent told the Plaintiff that she would be laid off in two weeks, but that they would continue to pay her for a short time to ease into her exit.

11. In the days that followed, her Superintendent became increasingly angry that the Plaintiff told fellow employees that she was pregnant. The Superintendent began assigning the Plaintiff tasks that were not typically tasks performed by a General

Foremen such as fire watch and tasks that were more labor intensive such as jackhammering.

12. On June 24, 2021 the Plaintiff was told by management that she was getting demoted.

13. On June 25, 2021, Plaintiff was terminated. Plaintiff's Superintendent informed her that she was being terminated "for my health and unborn child's health"

14. Plaintiff was discharged due to engaging in protected activity.

15. Plaintiff was demoted due to her gender.

16. Plaintiff was discharged due to her gender.

17. Plaintiff was denied a reasonable accommodation.

18. Plaintiff was demoted due to her disability.

19. Plaintiff was discharged due to her disability

COUNT I

20. Plaintiff incorporates by reference paragraphs 1-19.

21. Defendant, as a result of discharging Plaintiff because Plaintiff engaged in protected activity, violated Title VII 42 U.S.C. § 2000 et seq.

COUNT II

22. Plaintiff incorporates by reference paragraphs 1-19.

23. Defendant, as a result of harassing the Plaintiff and the Plaintiff being harassed in the workplace due to her gender, violated the Pregnancy Discrimination Act, Title VII 42 U.S.C. § 2000e et seq.

COUNT III

24. Plaintiff incorporates by reference paragraphs 1-19.

25. Defendant, as a result of demoting the Plaintiff due to her gender, violated the Pregnancy Discrimination Act, Title VII 42 U.S.C. § 2000e et seq.

COUNT IV

26. Plaintiff incorporates by reference paragraphs 1-19.

27. Defendant, as a result of discharging the Plaintiff due to her gender, violated Title VII 42 U.S.C. § 2000e et seq.

COUNT V

28. Plaintiff incorporates by reference paragraphs 1- 19.

29. Defendant, as a result of not providing the Plaintiff a reasonable accommodation, due to her disability, violated the Americans with Disabilities Act, 42 U.S.C. 12101 et seq.

COUNT VI

30. Plaintiff incorporates by reference paragraphs 1-19.

31. Defendant, as a result of discharging the Plaintiff due to her pregnancy violated the Pregnancy Discrimination Act.

COUNT VII

32. Plaintiff incorporates by reference paragraphs 1-19.

33. Defendant, as a result of demoting the Plaintiff due to her pregnancy violated the Pregnancy Discrimination Act, Title VII 42 U.S.C. § 2000e et seq.

34.

COUNT VIII

35. Plaintiff incorporates by reference paragraphs 1- 19.

36. Defendant, as a result of demoting the Plaintiff, due to her disability, violated the Americans with Disabilities Act, 42 U.S.C. 12101 et seq.

COUNT IX

37. Plaintiff incorporates by reference paragraphs 1- 19.

38. Defendant, as a result of discharging the Plaintiff, due to her disability, violated the Americans with Disabilities Act, 42 U.S.C. 12101 et seq.

REQUEST FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court grant the following relief:

- A. Award Plaintiff back pay and benefits lost;
- B. Award Plaintiff compensatory damages for future pecuniary loss, emotional pain and suffering, inconvenience, mental anguish and loss of enjoyment of life;
- C. Award Plaintiff punitive damages;
- D. Award Plaintiff liquidated damages;
- E. Award Plaintiff her cost in this action and reasonable attorney fees;
- F. Grant Plaintiff any other relief which is allowable under the circumstances of this case.

Respectfully Submitted

s//Amber K. Boyd
Amber K. Boyd 31235-49
Attorney for Plaintiff

REQUEST FOR JURY TRIAL

Comes now, the Plaintiff and requests that this cause be tried by a jury.

Respectfully Submitted

s//Amber K. Boyd

Amber K. Boyd 31235-49

Attorney for Plaintiff

Amber K. Boyd 31235-49
Amber K. Boyd Attorney at Law
8510 Evergreen Avenue
Indianapolis, in 46240
(317) 210-3416